

REMARKS

Claims 41-55, as amended, are pending herein. Claims 37-40 have been canceled. Claims 41, 43-45 and 47 have been amended and claims 48-55 have been added; the new claims are based upon original claims 2-9.

A more accurate title and Abstract have been provided as required by the Examiner. Should other language be preferred, the Examiner is asked to contact the undersigned.

1. Claims 41-47 were rejected under §112, second paragraph, as indefinite. Independent claim 41 has been amended to clarify the first forming step of forming one of dielectrics and composite dielectrics. In addition, the improper recitation of "said conductor" (first occurrence) has been amended to "a conductor". The rejection should be withdrawn.

2. Claims 41, 42, and 44-46 were rejected under §102(b) as anticipated by Harakawa et al. '074. The rejection is traversed.

A distinctive feature of the present invention recited in independent claim 41 is that the dielectric is one of an organic polymer and a composite dielectric made of an organic polymer and an oxide of a metal operating as a conductor. Neither of

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these dielectrics is disclosed or suggested by Harakawa et al. '074.

Harakawa et al. '074 discloses a multi-layered unitary structure including a metal plate with a dielectric oxide layer, a polymer of heterocyclic compound, and a conductive layer formed successively thereon (see column 2, lines 64-68).

Harakawa et al. '074 discloses a so-called functional polymer type electrolytic capacitor, where a functional polymer or a conductive polymer of a hetero-cyclic compound such as polypyrrole (see column 6, line 24) is used as a solid electrolyte, whereby specific resistance is reduced (see column 2, lines 29-31). The polymer disclosed in the reference is clearly not a dielectric; in contrast, the polymer is a conductor that functions as a solid electrolyte. Dielectrics should have high specific resistance and a good ability to withstand voltage. Polypyrrole is one of the most commonly known conductive polymers as shown in Kudoh et al. (US 5,140, 502, column 4, lines 46-52). Thus, the assertion of the Examiner that "Harakawa et al. discloses dielectrics made of high polymer" is incorrect. The rejection thus is fatally flawed.

Harakawa et al. '074 discloses a dielectric layer of aluminum oxide formed by an ordinary formation process (see

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column 6, lines 5-6). The oxide layer is a simple uniform layer and has no composite structure. Thus, the Examiner's assertion that Harakawa et al. '074 discloses a "composite dielectric made of organic high polymer and oxide of a metal constituting the conductor" is also incorrect. Applicants believe that the Examiner's assertion is based on a misunderstanding that the heterocyclic compound is a dielectric. As explained above, the hetero-cyclic compound-based polymer is not a dielectric, but a conductor, and therefore the claimed invention patentably defines over Harakawa et al. '074.

On page 4 of the Office Action in connection with the §102 rejection under Harakawa et al. '074, the Examiner refers in the penultimate paragraph to claim 43 and the Kudoh et al. U.S. patent No. 5,140,502. It appears as though this paragraph should have been included in the §103 rejection beginning on page 5 of the Office Action. Nevertheless, there is no recitation in Kudoh et al. '502 indicating simultaneous electro-deposition of dielectrics. As in the case of Harakawa et al. '074, Kudoh et al. '502 disclose deposition of "an organic conductive polymer layer by electrolytic polymerization formed on a dielectric film" (see column 4, lines 52-57); thus the claimed invention is not taught or suggested thereby.

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For all the foregoing reasons, there is no disclosure or teaching in Harakawa et al. '074 or Kudoh et al. '502 of all elements of applicants' presently claimed invention, and the references are therefore not a proper grounds for rejection of applicants' claims under §102. Accordingly, reconsideration and withdrawal of the rejection under §102 is respectfully requested.

3. Claim 43 was rejected under §103(a) as unpatentable over Harakawa et al. '074 in view of Kudoh et al. '502 and claim 47 was rejected under §103(a) over Harakawa et al. '074 in view of Higgins '402. Both rejections are traversed.

X ( As noted above, Kudoh et al. '502 adds nothing to Harakawa et al. '074 with regard to the first recited feature of the claimed invention, namely forming a dielectric as one of an organic polymer and a composite dielectric made of an organic polymer and an oxide of a metal comprising a conductor as a capacitor. Similarly, Higgins '402 does not disclose such a dielectric.

For all the foregoing reasons, there is no disclosure or teaching in any of the cited references that discloses or teaches anything that would have suggested applicants' presently claimed invention to one of ordinary skill in the art. Further,

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Serial No.: 09/839,264

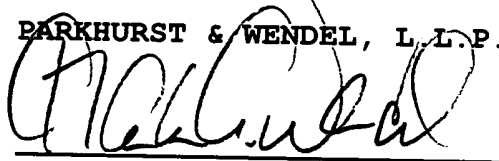
there is no disclosure or teaching in those references that suggest the desirability of combining any portions thereof effectively to suggest applicants' presently claimed invention. Accordingly, reconsideration and withdrawal of these grounds of rejection are respectfully requested.

Allowance of claims 41-55 is courteously solicited.

Should the Examiner deem that any further amendments would be desirable in placing this application in even better condition for issue, he is invited to telephone the undersigned.

Respectfully submitted,

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September 16, 2003  
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